

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1218666-0

Total Deleted Page(s) = 4

Page 5 ~ b3; b6; b7C;

Page 6 ~ b3; b6; b7C;

Page 7 ~ b3; b6; b7C;

Page 57 ~ b6; b7C; b7E;

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X Deleted Page(s) X

X No Duplication Fee X

X For this Page X

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IA's
 (Title) LA-249816
 (File No.)

Item	Date Filed	To be returned Yes No	Disposition
1. E-MAIL FROM [REDACTED]			
2. ORIGINAL NOTES RE INTERVIEW OF [REDACTED] AT IA STATE (U)			
3. ORIGINAL NOTES RE INTERVIEW OF [REDACTED]			
4. ORIGINAL NOTES RE INTERVIEW OF [REDACTED] DOCUMENT PROVIDED BY [REDACTED] WITH E-MAIL ADDRESSES			
5. ORIGINAL NOTES RE INTERVIEW OF [REDACTED]			
6. ORIGINAL NOTES RE INTERVIEW OF [REDACTED] SIGNED FD-395, SIGNED COPY OF TITLE 18 USC 1001			b6 b7C
7. COPIES OF C&D LETTERS, COS "FAIR GAME" POLICY PROVIDED BY [REDACTED]			
8. ORIGINAL NOTES RE INTERVIEW OF [REDACTED]			
9. ORIGINAL NOTES RE INTERVIEW OF [REDACTED]			
10. ORIGINAL NOTES RE INTERVIEW OF [REDACTED]			
11. GJ SUBPOENA SERVED ON [REDACTED]			b3
12. DMV PHOTO OF [REDACTED]			b6 b7C
13. RETURN OF SERVICE, FEDERAL GRAND JURY SUBPOENA			

File Number 288A-LA-249816 - 1A1Field Office Acquiring Evidence LASerial # of Originating Document 8Date Received 2/19/08From [Redacted]
(Name of Contributor/Interviewee)Quimby, U.
(Address)b6
b7CBy [Redacted]To Be Returned Yes NoReceipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

 Yes No

Federal Taxpayer Information (FTI)

 Yes No

Title:

UNSUB(s)
Church of Scientology - Victim
Computer Intrusion
DD-linkReference: Sub return email

(Communication Enclosing Material)

Description: Original notes re interview ofe-mail from [Redacted]b6
b7C

File Number

2-68A - LA - 249816 - 14.2

Field Office Acquiring Evidence

LA

Serial # of Originating Document

11

Date Received

3/3/08

From

(Name or Contributor/Interviewee)

(Address)

b6
b7C

(City and State)

By

To Be Returned Yes NoReceipt Given Yes NoGrand Jury Material Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure Yes No

Federal Taxpayer Information (FTI)

 Yes No

Title:

UNSUB(s)
CHURCH OF SCIENTOLOGY - VICTIM
Computer Intrusion
06:LA

Reference:

(Communication Enclosing Material)

b6
b7CDescription: Original notes re interview of3.18.08
302

b6
b7C

b3
b6
b7C

- No info. desk (available tickets)
- Under loss -
 - could be missing data
 - for dropped

Universal Case File Number

Field Office Acquiring Evidence

Serial # of Originating Document

Date Received

From

To Be Returned

 Yes No

Receipt Given

 Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

 Yes No

Federal Taxpayer Information (FTI)

 Yes No

Title:

UNSUB(S)
CHURCH OF SCIENTOLOGY - VICTIM
COMPUTER INTRUSION.

Reference:

FD 302 notes

(Communication Enclosing Material)

Description:

 Original notes re interview ofb6
b7Cb6
b7C

6 1.08

DOB

OLN

SSN

b6
b7C

- Academically dismissed approx 4 wks ago

from [redacted] End of Spring TERM

- Completed 2 yrs Mechanical Engineering

b6
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- Room mate [redacted] for
approx 9 months before dismissal. Believes
he's Information Technology major

- Knows of anonymous - approx 30 people @
[redacted] involved - no names

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b7C

- got program from provided sites

His [redacted] understanding was program sent
packets to COS. "Nifty" window you
would put IP address of ATTACK.

- Did it because a Tom Cruise video was
released by COS.

- went on two different occasions to
COS protests in PH. Groups ref @
Orley Hall then went over. He didn't
attend -

b6
b7c

- talked a lot with Guy next
door [redacted] thinks he's from [redacted]

b6
b7c

- had a Mac book and never Dell
Desktop. Does ATTACKS sent with Dell.

- Time frame of attacks late evening after
class til early morning

- did it in Jan-Feb sometime. lasted
a whole wk. 2 large attack with several
smaller ones

b6
b7c

- used AIM to chat with friends at [redacted]
IRC to talk with anonymous. No screen names

b6
b7c

- has mySPACE account - [redacted] - maybe
- Has account [redacted] NOT set to
private

- [redacted] used his computer on classwork
homework and printing

b6
b7c

b6
b7C

DDos

4-chan.org; maybe without hyphens.

7-chan.org

7-11chan.org

Above web sites written by

b6
b7C

File Number

2884 LA - 249816 - 1A4

Field Office Acquiring Evidence

OM

Serial # of Originating Document

Date Received

07/17/2008

From

(City and State)

By SAb6
b7CTo Be Returned Yes NoReceipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

 Yes No

Federal Taxpayer Information (FTI)

 Yes No

Title:

UNSUB(S);
CHURCH OF SCIENTOLOGY OF U.S.

Reference:

FD 302 dated 7/17/08

(Communication Enclosing Material)

Description: Original notes re interview of

- direct provided by
with email addressesb6
b7C

8-8-08

internet - haet
internet - ~~Repet~~ machine @ ~~flotmail.com~~



@ gmail.com

@ gmail.com

b6
b7c

3 People - same Address -

b6
b7c

7/17/08

(1)

b6
b7C

Lived 2 months

- Six people next door
looking for a job

b6
b7C

- Not returning to [redacted] in [redacted] - home evicted

b6
b7C

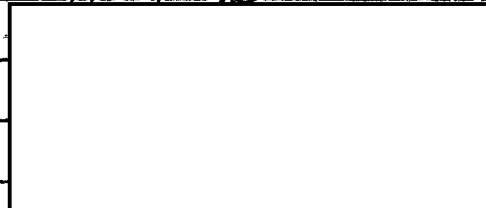
- left [redacted] - your current level low
expenses at at state

LEARNERS

- What some teachers do anymore
- groups of people
- magicians
- No Agent
- www.4chan.org
- hasn't been on Ycom since at least two months
- "Random" board - computer generated, keep it up
organized

(2)

- Whalers V.P.T.A Guy
- doesn't like Linux
- Attorney agreement board
- posting on board anonymous
- TChas.org - Site not up 4 years,
no offline
- anonymous has IRC channel - was never beginning
last school year - nothing happening
- no password
- # irc.4chan.org
- older in house
- Passes add to anonymous website B - sel



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- give computers in house
- Cox Castle - 15 meg Comcast
- wireless
- went to doctors
- poster in boy room
- no pounds or rates
- hi [redacted] name

b6
b7C

- New Years 2008 - last time on
Willy Site
- live on website for at least three years
- Sponsored Open gift.

2 ^{Answers} added to IM -
Comment every now and then

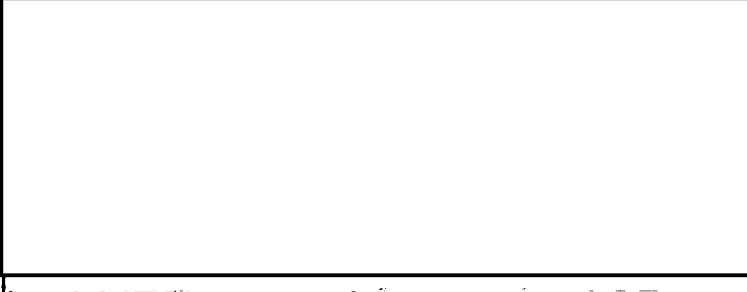
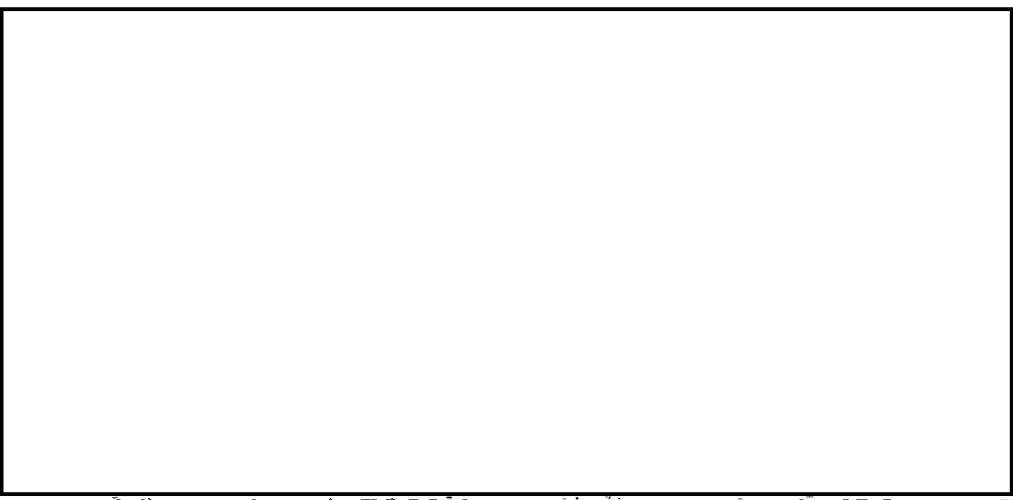
- Kians they don't like the COS song
Annoyed you tried to buy the CD members
down in about August 2007

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B

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b6
b7c -



b6
b7C

FD-340 (Rev. 4-11-03)

File Number 288A-LA-249816 - 1 A5

Field Office Acquiring Evidence LA

Serial # of Originating Document _____

Date Received 9/3/08

From _____
(Name of Contributor/Interviewee)

(Address)

b6
b7C

(City and State)

By SA _____

To Be Returned Yes No

Receipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

Yes No

Federal Taxpayer Information (FTI)

Yes No

Title:

UNSUB(s)
Church of Scientology - Virtue
(Computer Division)
OO: LA

Reference: _____ SD _____

(Communication Enclosing Material)

b6
b7C

Description: Original notes re interview of

924 wF

→ [redacted] told him what he

b6
b7c

did

= almost 500 other people

involved

- didn't think it was such big of deal

- [redacted] told her that they did
on DDoS attack on

b6
b7c

Scientology, just kept things refresh

- over 475 kids doing this

he was at [redacted] at the
time

- No real damages only used of bandwidth

FD-340 (Rev. 4-11-03)

146

FD-340 (Rev. 4-11-03)
File Number 2004-CA-249816

Field Office Acquiring Evidence Newark - FTRZ 2

Serial # of Originating Document

Date Received 10/14/08

From

(Name of Contributor/Interviewee)

b6
b7c

(City and State)

By

To Be Returned Yes No

Receipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

Yes No

Federal Taxpayer Information (FTI)

Yes No

Title: Unsub(s)

CHURCH OF SCIENTOLOGY - VICTIM COMPUTER INTRUSION

Reference:

(Communication Enclosing Material)

Description:  Original notes re interview of

Signed FD-395, signed Copy

OF Type 18 USC 1001

Copies of C+D Letters cos "Fair Game" Policy

Provided by

10.29.08

b6
b7c

833 West Pahn Street, Suite 4000
Los Angeles, California 90071-2007
Tel: 1.213.485.1234 Fax: 1.213.601.8763
www.lw.com

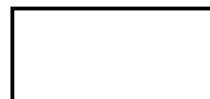
LATHAM & WATKINS LLP

March 18, 2008

VIA HAND DELIVERY

FIRM / AFFILIATE OFFICES

Barcelona	New Jersey
Brussels	New York
Chicago	Northern Virginia
Frankfurt	Orange County
Hamburg	Paris
Hong Kong	San Diego
London	San Francisco
Los Angeles	Shanghai
Madrid	Silicon Valley
Milan	Singapore
Moscow	Tokyo
Munich	Washington, D.C.



from Boston

b6
b7C

Re: Anonymous Activities.

Dear [REDACTED]

Latham & Watkins, LLP has been retained by the Church of Scientology International (the "Church") in connection with a series of terrorist threats against Church leaders and parishioners made by an internet group known as "Anonymous". Since January 2008, members of Anonymous have engaged in a campaign of violence against the Church, its members and Church property. Anonymous members have made numerous bomb threats, arson threats and committed acts of vandalism against Scientology Churches. They have made harassing phone calls, sent vulgar and threatening faxes, posted threats on the internet and publicly threatened to kill Church leaders, Church security personnel and Scientologists engaged in religious services. On January 30, 2008, Anonymous members sent letters containing simulated anthrax to over twenty Scientology Churches in Southern California.

Anonymous members have also sent threatening emails to the Church, including, "[I will] kill you... I have the authority to use lethal force"; and "I'm watching you, and I control the bombs." And on February 13, 2008 Anonymous placed a video threat on the Internet, saying:

We are an elite Anonymous. On the 13th of March 2008 ... one 5 kilogram pack of nitroglycerin will detonate in the Churches of Scientology across the United States of America ... This will be the world's biggest terrorist attack on a religion. Lives will be lost... A separate personal attack on [the President of the Church] will be launched on the 13th of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member of this cult.

Law enforcement authorities have been notified of these illegal activities.

We are sending you this letter because the Church has reason to believe that you may be directing or leading some or all of the actions of "Anonymous," and have assisted in its

March 18, 2008
Page 2

LATHAM & WATKINS LLP

campaign of violence or inciting violence against the Church. In particular, you were identified at a protest outside a Church on February 10, 2008 and you further have made statements, both publicly and to others, promoting your leadership in the organization. We demand that you immediately cease all illegal activities against the Church. Should your organization continue inciting and/or engaging in violent acts against the Church or its members, we are prepared to take any and all steps necessary to protect our client, including referring any individual, including you, to Local, State and Federal authorities.

Sincerely



of LATHAM & WATKINS LLP

b6
b7C

b6
b7C

RABINOWITZ, BOUDIN, STANDARD, KRINSKY & LIEBERMAN, P.C.

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 LEONARD I. WEINGLASS
 DEBRA A. BENSON
 PAUL J. COOPER
 CRAIG E. KELLY
 THOMAS R. ASHER

May 5, 2008

VIA HAND DELIVERY:

Re: Anonymous Activities

Dear [REDACTED]

This law firm has been retained by the Church of Scientology (the "Church") in connection with a series of unlawful threats made by a group of individuals known as "Anonymous" against Church leaders and parishioners.

Since January 2008, members of Anonymous have engaged in a campaign of vandalism, harassment, and threats of violence against the Church, its members and Church property. Anonymous members have made bomb threats, arson threats and committed acts of vandalism against Scientology Churches. Individuals identified as being part of Anonymous have made harassing phone calls, sent vulgar and threatening faxes, posted threats on the internet and publicly threatened to kill Scientologists engaged in religious services. As a further part of the campaign of terror, on January 30, 2008, letters containing simulated anthrax were sent by Anonymous to more than twenty Scientology Churches in Southern California.

Anonymous members have also sent threatening emails to Scientology Churches, which include the following: "[I will] kill you... I have the authority to use lethal force"; and "I'm watching you, and I control the bombs." On February 13, 2008, Anonymous placed a video threat on the Internet, stating:

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b7C

We are an elite Anonymous. On the 13th of March 2008 ... one 5 kilogram pack of nitroglycerin will detonate in the Churches of Scientology across the United States of America ... This will be the world's biggest terrorist attack on a religion. Lives will be lost. . . . A separate personal attack on [the President of the Church] will be launched on the 13th of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member of this cult.

Law enforcement authorities have been notified of these illegal activities.

We are sending you this letter because you have been identified as directing or leading actions of Anonymous, which may include its campaign of actual threats and incitements. You have participated in what Anonymous calls "raids" against Scientology churches, and reportedly manage the Anonymous web site Epicanon.com. We place you on notice that inciting violence against the Church and its members, and engaging in acts of terrorism (such as the simulated anthrax attack; bomb, arson and death threats) violate State and Federal law. We demand that you refrain from committing, or assisting others in committing, any illegal acts directed at the Church or its parishioners. Should Anonymous continue inciting others, and/or engage in violent acts against the Church or its members, we are prepared to take whatever steps may be required to protect the Church, including referring any individual who commits such acts, or aids or assists others who commit such acts, to State and Federal authorities.

Sincerely,

b6
b7C

b6
b7C

RABINOWITZ, BOUDIN, STANDARD, KRINSKY & LIEBERMAN, P.C.

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 LEONETTE PRANGE

COUNSEL
 LEONARD I. WEINSTEIN
 DEBRA A. BYRNE
 TERRY GROSS
 CRAIG KAPLAN
 THOMAS R. ABING

September 4, 2008

Re: Anonymous Activities

Dear [redacted]

b6
b7C

This law firm has been retained by the Church of Scientology (the "Church") in connection with a series of unlawful threats made by a group of individuals known as "Anonymous" against Church leaders and parishioners. We write about your activities on behalf of this group. While mere peaceful picketing, where otherwise not restricted by law, is of course protected under the First Amendment, we are concerned that, given your apparent leading role in the group, you may also be acting in furtherance of other, not so benign, activities of Anonymous.

As you undoubtedly are well aware, since January 2008, members of Anonymous have engaged in a campaign of vandalism; harassment; and threats of violence against the Church, its members and Church property. Anonymous members have interfered with the First Amendment rights of Church members to discuss their religious practices with members of the public and to distribute religious literature; in fact, this has been a continuing form of harassment in New York. We believe that you personally have engaged in such activities, in concert with others.

In addition, individuals identified as being part of Anonymous have made harassing phone calls, sent vulgar and threatening faxes, posted threats on the internet and publicly threatened to kill Scientologists engaged in religious services, made bomb threats, arson threats and committed acts of vandalism against Scientology Churches. As a further part of the campaign of terror, on January 30, 2008, letters containing simulated

C and D

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anthrax were sent by Anonymous to more than twenty Scientology Churches in Southern California.

On February 13, 2008, Anonymous placed a video threat on the Internet, stating:

We are an elite Anonymous. On the 13th of March 2008 ... one 5 kilogram pack of nitroglycerin will detonate in the Churches of Scientology across the United States of America ... This will be the world's biggest terrorist attack on a religion. Lives will be lost... A separate personal attack on [the President of the Church] will be launched on the 13th of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member of this cult.

Law enforcement authorities have been notified of these illegal activities.

You have been identified as directing or leading actions of Anonymous. We therefore are concerned that your activities may directly or indirectly support its campaign of actual threats and incitements. Acts such as harassing Church members to interfere with their exercise of their rights of speech or religion, let alone making threats or inciting violence against the Church and its members; and engaging in acts of terrorism (such as the simulated anthrax attack; bomb, arson and death threats) violate State and Federal law. We demand that you refrain from committing, assisting, or acting in concert with others in committing illegal acts directed at the Church or its parishioners. Should Anonymous continue inciting others, and/or engage in violent acts against the Church or its members, we are prepared to take whatever steps may be required to protect the Church.

Sincerely,

b6
b7C

JOHNSON, POPE, BOKOR, RUPPÉL & BURNS, LLP
ATTORNEYS AND COUNSELLORS AT LAW

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"OF COUNSEL"

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CLEARWATER, FLORIDA 33758
TELEPHONE: (727) 461-1010
TELECPH: (727) 452-0365 • (727) 441-9511

FAX NO: 18615.115757

October 8, 2008

Member:

b6
b7c

Re: Anonymous Activities

Dear Mr.

Our law firm has been retained by the Church of Scientology of New York in connection with a series of terrorist threats against Church leaders and parishioners made by an internet group known as "Anonymous".

Since January, 2008, members of Anonymous have engaged in a campaign of violence against the Church, its members and Church property. Anonymous members have made numerous bomb threats, arson threats and committed acts of vandalism against Scientology Churches. They have made harassing phone calls, sent vulgar and threatening faxes, posted threats on the internet and publicly threatened to kill Scientologists engaged in religious services. On January 30, 2008, Anonymous members sent letters containing simulated anthrax to over twenty Scientology Churches in Southern California.

Anonymous members have also sent threatening emails to the Church, including, "[I will] kill you... I have the authority to use lethal force"; and "I'm watching you, and I control the bombs." And on February 13, 2008, Anonymous placed a video threat on the Internet, saying:

We are an elite Anonymous. On the 13th of March 2008 . . . one 5 kilogram pack of nitroglycerin will detonate in the Churches of Scientology across the United States of America . . . This will be the world's biggest terrorist attack on a religion. Lives will be lost... A separate personal attack

TAMPA

CLEARWATER

ST. PETERSBURG

JOHNSON, POPE, BOKOR, RUPPEL & BURNS, LLP
ATTORNEYS AND COUNSELLORS AT LAW

[Redacted]
on [the President of the Church] will be launched on the 13th of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member of this cult.

I enclose a brief documentary for your information, which sets forth additional evidence of criminal acts of Anonymous. Law enforcement authorities have been notified of these illegal activities.

We are sending you this letter because we have reason to believe that you are associated with and have been assisting Anonymous in its campaign against the Church. In particular, you have been an accessory by your participation in demonstrations where my church and fellow church members were victimized. These include days in May, June & July 2008 and other times that you promoted and participated in "raids" against the Church.

The purpose of this letter is to place you on notice that the activities of Anonymous in inciting violence against the Church and its members and engaging in acts of terrorism (such as the simulated anthrax attack, bomb, arson and death threats) violate State and Federal law. We demand that you immediately cease all such activities that you may be engaged in. Should Anonymous continue inciting and/or engaging in violent acts against the Church or its members, we are prepared to take any and all steps necessary to protect our client, including referring the names of persons to State and Federal authorities.

Very truly yours,



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b7C

Enclosure
454234

STATEMENT ABOUT C&D's FROM [REDACTED]

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With this C&D came one for my parents as well (not uploading that one) which was the same as mine, as well as a copy of the Anonymous Hate Crimes dvd for each C&D.

Now, my analysis.

After seeing [REDACTED] C&D, then mine, I have come to the conclusion there are two different types for a reason.

b6
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Type 1: Leadership

C&D, no DVD, accuses of having a leading role in Anon activities.

Type 2: New person

C&D, DVD, accuses of taking part in and being an accessory to Anon activities.

I noticed now for the Newperson-type C&D it had my name and handle, and mentioned a few of the global protest dates. With the DVD, as well as a C&D sent to my parents as well, I have come to the conclusion that this type is meant for people the CoS considers newer members. I also found it odd that mine came from Clearwater, FL.

Hm, the place known as Scientology's Mecca as the sender, a DVD explaining Anonymous' crimes (according to the CoS), and a letter saying how I'm considered an accessory, and my parents as well.

This is the CoS attempting to intimidate new members. If you were new and got this, wouldn't you contemplate ending your participation with Chanology? You just got a letter from the home base of Scientology saying you could be in league with some bad people! They even sent a DVD telling you what these bad people have done!

As for Leader-type C&D, I noticed how it states the recipient may be taking part in "not so benign activities of Anonymous" outside of the peaceful picketing that is protected by the First Amendment. In New-type, there is NO MENTION of the peaceful picketing or accusation of "not so benign" activities. Also, the law firm is one that's not as far away as Clearwater. There is also no DVD enclosed with it.

This is the CoS trying to take things to a more businesslike approach to supposed leaders, in my eyes. The typeface is smaller in this type of C&D as well. Though it may mean nothing, it seems like they were trying to make this letter a bit more official looking. If I'm looking too deep into the typeface, then disregard that, I suck cocks.

Let's see, an official looking letter that even SOUNDS official to the untrained eye, and it's been sent by a law firm RIGHT HERE IN NY, instead of some far away city. This is probably an attempt to get the

"leaders" of Anonymous to take the CoS seriously.

After thinking this over a bit, I was starting to realize some things:

- Anon carry their C&Ds with pride, and they compare them amongst each other.
- It seems a bit random with how certain C&Ds are sent. Members who haven't come to a protest in MONTHS have received them, members who seem to have more influence would receive a C&D calling them a leader, and members, despite the time they've spent with Anon are getting a New-type C&D (as is in my case.)

This looks like what I will refer to as the Distrust Tactic.

Scientologists are sending seemingly random letters to different members. With us comparing them and stuff, people are going to question why one member got a Leader-type and why one got a New-Type. It can lead to Anons questioning the motives of their fellow members, and make us even more paranoid about each other. Paranoia leads to distrust, and distrust leads to the breaking up of the Hivemind, if it becomes rampant enough.

In my eyes, this is the CoS trying to break us apart by making us question each other's stance in the group, our motives, etc. In past conversations with Anon, it's been said that we need to stop hanging out and being friendly with each other, and if I'm right about what this tactic is attempting to do, such a move could ruin us completely.

We need to show the CoS that they can't break us apart, they can't make us lose trust in each other. To show them that we can't even trust each other is to show them that they've won.

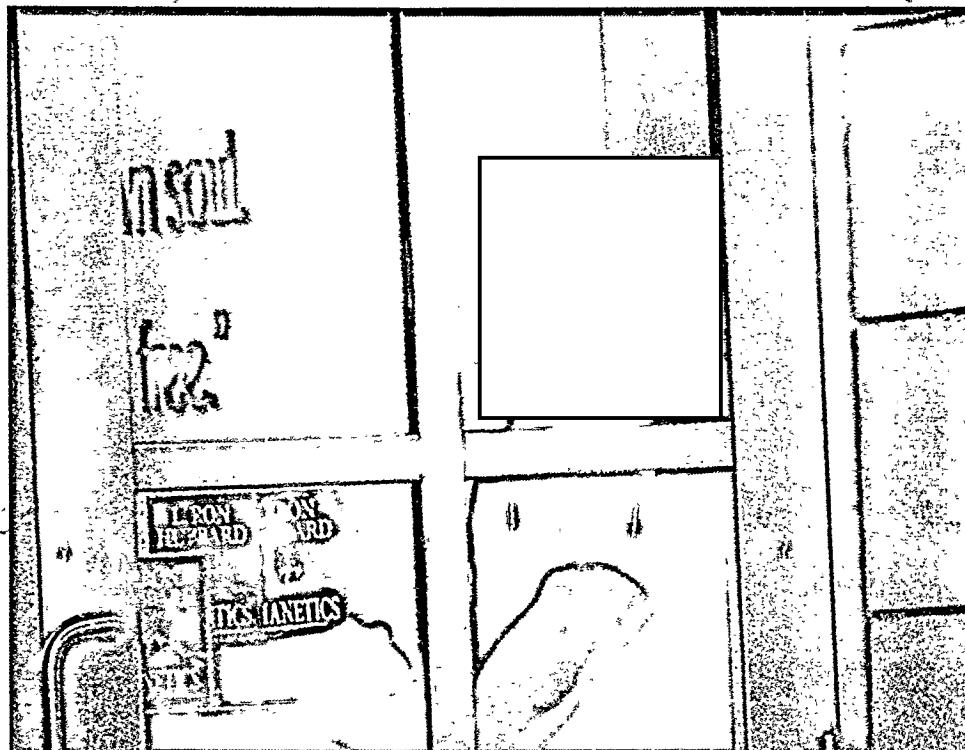
All I can say after all that, is that I will still continue to contribute however I can, and now with this knowledge of the situation, let's show them that we mean it when we say "Anonymous is Legion."

I'll never forgive them for coming to my house with their papers.

I'll never forget hearing my mom being frantic about having a lawyer-type person at the door, and how she's worried about them coming back again.

This is the person who Hand Delivered a C&D letter to the member [REDACTED] house. This person also harassed his family by slamming on the door for 20 minutes, then slipping a "Anonymous No More" flier which had [REDACTED] real name, and location, as well as his picture on it, with the words "Anonymous No More" on the bottom of the flier. This is one of the people the Church of Scientology hires as "security".

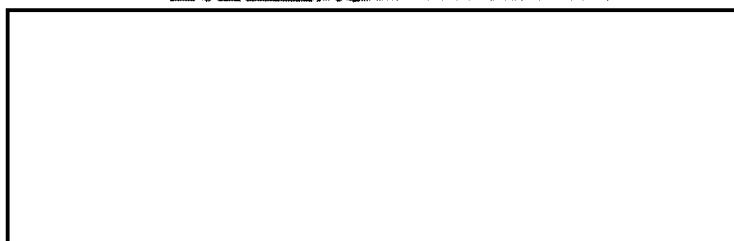
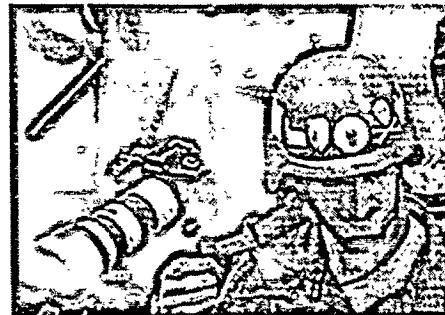
The police have been informed of this, and we are currently trying to find out this persons name so we may file a police report.



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ANONYMOUS



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NEW YORK
ANONYMOUS NO
MORE!

RABINOWITZ, BOUDIN, STANDARD, KRINSKY & LIEBERMAN, P.C.

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CHRISTOPHER J. KATELL

LINDSEY FRANK

COUNSEL

LEONARD I. WEINGLASS
DEBRA EVENSON
TERRY GROSS
CRAIG KAPLAN
THOMAS R. ASHER

September 4, 2008



Re: Anonymous Activities

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Dear [redacted]

This law firm has been retained by the Church of Scientology (the "Church") in connection with a series of unlawful threats made by a group of individuals known as "Anonymous" against Church leaders and parishioners. We write about your activities on behalf of this group.^{*} While mere peaceful picketing, where otherwise not restricted by law, is of course protected under the First Amendment, we are concerned that, given your apparent leading role in the group, you may also be acting in furtherance of other, not so benign, activities of Anonymous.

As you undoubtedly are well aware, since January 2008, members of Anonymous have engaged in a campaign of vandalism, harassment, and threats of violence against the Church, its members and Church property. Anonymous members have interfered with the First Amendment rights of Church members to discuss their religious practices with members of the public and to distribute religious literature; in fact, this has been a continuing form of harassment in New York. Anonymous members also have singled out individual staff members and parishioners of the Church for harassment, verbal abuse, internet attacks and invasions of privacy. We believe that you personally have engaged in harassment of the Church and its members.

In addition, individuals identified as being part of Anonymous have made harassing phone calls, sent vulgar and threatening faxes, posted threats on the internet and publicly threatened to kill Scientologists engaged in religious services, made bomb

threats, arson threats and committed acts of vandalism against Scientology Churches.. As a further part of the campaign of terror, on January 30, 2008, letters containing simulated anthrax were sent by Anonymous to more than twenty Scientology Churches in Southern California.

On February 13,2008, Anonymous placed a video threat on the Internet, stating:

We are an elite Anonymous. On the 13th of March 2008 ... one 5 kilogram pack of nitroglycerin will detonate in the Churches of Scientology across the United States of America ... This will be the world's biggest terrorist attack on a religion. Lives will be lost. . . . A separate personal attack on [the President of the Church] will be launched on the 13th of March 2008 at an undisclosed time. His execution along with the deaths of other countless Scientologists will strike fear into the hearts of every member of this cult.

Law enforcement authorities have been notified of these illegal activities.

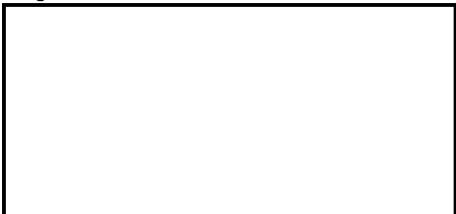
You have been identified as engaging in harassing actions of Anonymous. We therefore are concerned that your activities may directly or indirectly support its campaign of actual threats and incitements. Acts such as harassing Church members to interfere with their exercise of their rights of speech or religion, let alone making threats or inciting violence against the Church and its members, and engaging in acts of terrorism (such as the simulated anthrax attack, bomb, arson and death threats) violate State and Federal law. We demand that you refrain from committing, assisting, inciting or acting in concert with others in committing illegal acts directed at the Church or its parishioners. Should Anonymous continue inciting others, and/or engage in violent acts against the Church or its members, we are prepared to take whatever steps may be required to protect the Church.

Sincerely □

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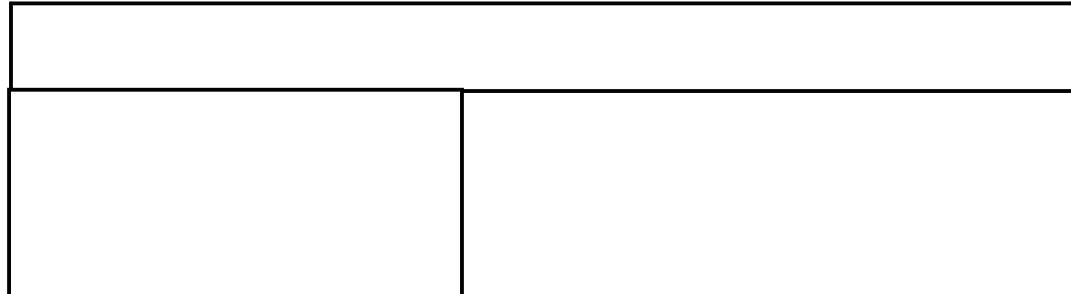
Domain name: epicanon.com

Registrant Contact:

A large rectangular redaction box.

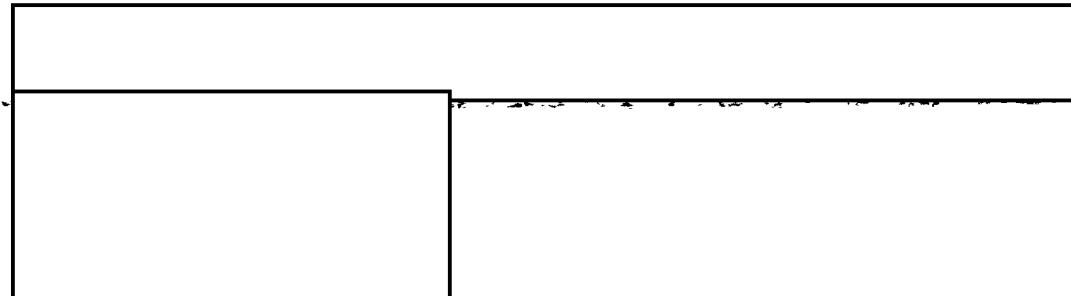
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Administrative Contact:


A smaller rectangular redaction box positioned below the main administrative contact box.

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Technical Contact:


A smaller rectangular redaction box positioned below the main technical contact box.

Status: Locked

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Name Servers:

A small rectangular redaction box.

Creation date: 18 Mar 2008 02:34:55
Expiration date: 18 Mar 2009 02:34:55

Random Information and Links:

The Website I [REDACTED] runs for NYC:
<http://www.epicanon.com>

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The Largest Community website for Anonymous and Protesting. I am currently helping run it:
<http://www.whyweprotest.net>

Class and Term Information on CoS:
<http://www.epicanon.com/printthread.php?t=1004>

Scientology Audited: An archive of independent research and documentation on Scientology
by [REDACTED] @nvg.unit.no
<http://www.xenu.net/archive/audit/>

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Scientology's Enemys:
http://www.xenu.net/archive/enemy_names/

A Mass of Information on Scientology:
<http://www.xenu.net/>

WikiLeaks: Office public court documents on cases involving Scientology:
<http://www.wikileaks.org>

Epic Anonymous (<http://www.epicanon.com/forum.php>)

- **General Discussion** (<http://www.epicanon.com/forumdisplay.php?f=2>)

- - **An Open Letter to the CoS** (<http://www.epicanon.com/showthread.php?t=1061>)

PokeAnon

10-13-2008 02:36 AM

An Open Letter to the CoS

Dearest "Church" of Scientology,

Cut that out. Seriously. Quit it. You have shown up to my home now on two separate occasions to hand deliver notices which accuse me of illegal activities which are hilariously far from the truth. The letters which you sent got a total of four things correct. My name, my mom's name, I am a part of anonymous, and I am site staff on EpicAnon.com.

I have never made any attempts or had any desires to harm any Scientologists. They are victims of a cult. My father is a Scientologist, as are several of his friends. I know several of these people. The idea that I would wish any malice upon any of them is absurd at best.

I have invited you to have conversations with me in the past, since you obviously know my name and address. The closest you have come to communication with me is having that horrible banshee woman shriek my name and cackle at me from across the street. For the "most ethical people on earth" and a "religion based around communication" you have failed miserably at demonstrating either of these claims.

Your only success has been cowering from communication and discussion; cowering from the truth. You have made bogus legal claims and attempted to intimidate me from practicing my first amendment rights. You have done exactly the opposite in doing so. You have validated claims of your abuse and harassment of anyone who speaks the truth about your organization. Expect me.

Love,

[REDACTED]

XOXO

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[REDACTED]

**COPYRIGHT DISCLAIMER: Fair use extracts of Scientology
policy letters included on this page!**

This is the much talked about 'Fair Game' policy in Scientology. Is this an ordinary church that we should just let go about its own business?

Here is the text from the original policy letter (emphasized by me):



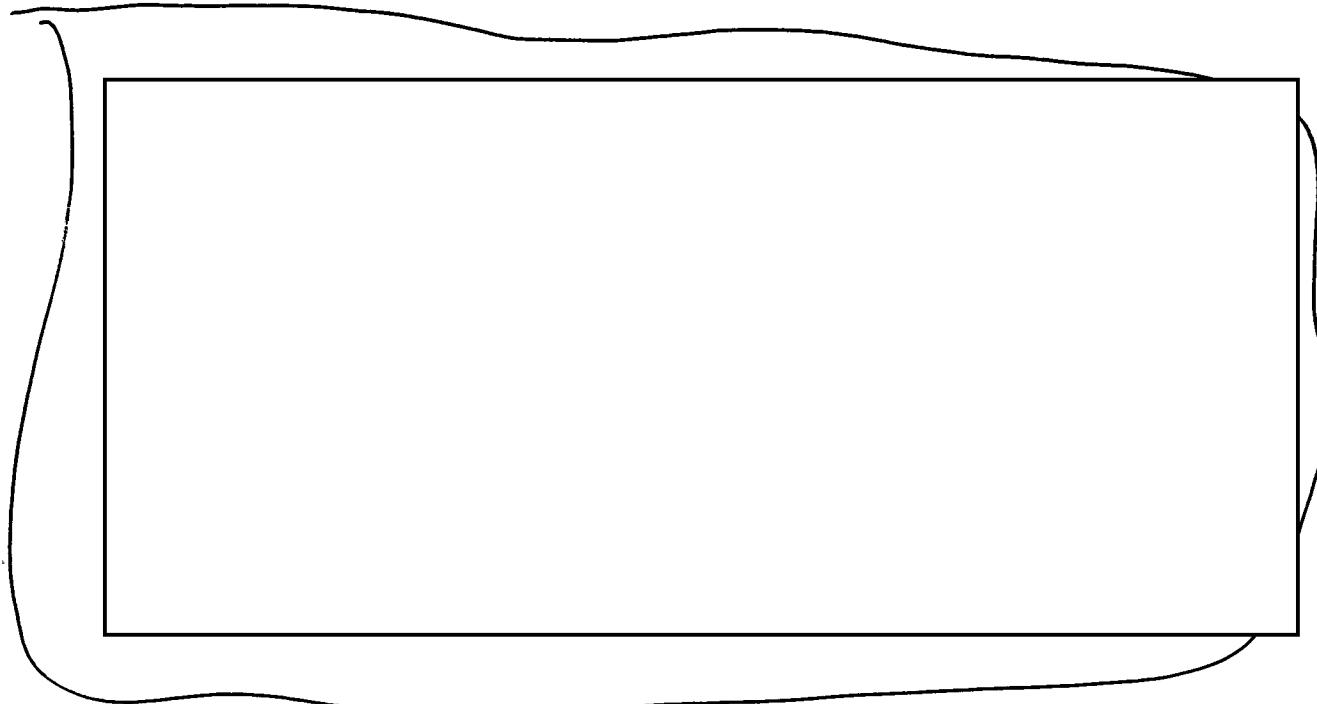
When brought up, they often try to change the subject and for example attack you, asking what criminal acts you have on your conscience or if you are payed by the drug cartells or something. According to Scientology all critics of Scientology are criminals, that's why they are critics. Nice logic. This is only standard Scientology tech, it's part of the training they have payed a fortune to learn. Hubbard said so, period.

If you manage to coin through their stupid personal attacks and

If you manage to see through their stupid personal attacks and desperate distractions, you may manage to force them to ward it off by telling you the Fair Game policy letter was cancelled in 1968. But keep in mind that Scientologists are trained to lie and never defend, always attack (and generate money).



I got the actual cancellation letter they refer to right here:



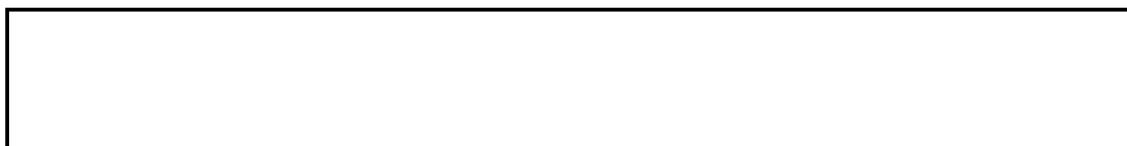
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Comments:

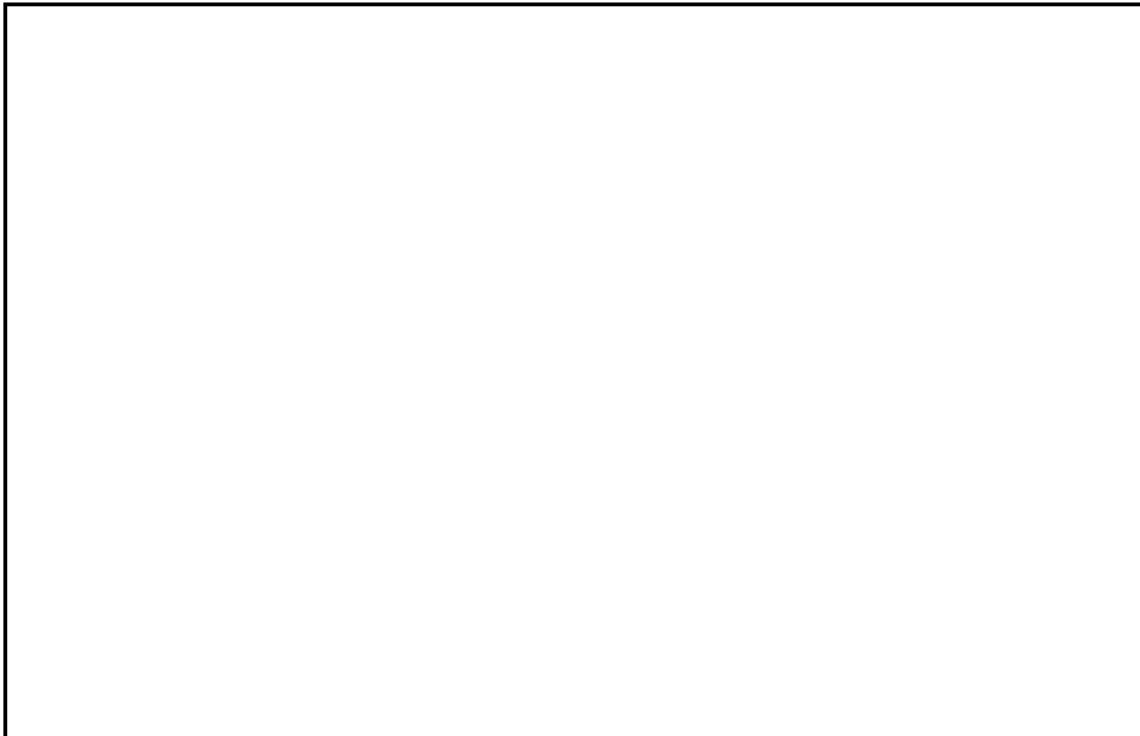
1. It is bad enough that such a policy ever was made in the first place, even if it truly had been cancelled later.
2. This HCO Policy Letter (HCO P/L) does not cancel the policy, it only cancels the use of the term 'Fair Game'. It states clearly that the practice described in the policy (deprived of property, injured, tricked, sued, lied to or destroyed) is not cancelled.
3. The "Church" of Scientology does not change anything because it's wrong, no, they change it because it gives bad PR!

The PTS/SP Course Pack

I personally got a copy of the course manual "PTS/SP COURSE - How to Confront and Shatter Suppression" as printed by the cult in 1989. This extract is from page 128 and shows that not even the wording was really changed after all:



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In my opinion this clearly shows organized criminal activity, exactly what we try to warn people about. This cult uses the law and claims to be a "bona fide religion" only to defend its horrid organized activities! It may be hard to imagine, but there are lots more where this comes from. How far are these people really willing to go? I say it is about time we put down our foot and said:
~~STOP!~~

STOP!

**Scientology claim they are the most ethical
group on the planet!!! They want to save us???**

[REDACTED] Respondent

vs.

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[REDACTED] Plaintiffs

SLAPP MOTION TO STRIKE: MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF.

(C.C.P. §527.6 and 425.16)

DATE: Friday, October 24, 2008.

TIME: 8-30 a.m.

DEPT: 76

Action Filed: August 11, 2008

Trial Date: None

Filed concurrently with: (1) Evidentiary objections; (2) Declaration of [REDACTED] and Exhibits; (3) Declaration of [REDACTED] and Exhibits; (4) Declaration of [REDACTED] and Exhibits; (5) Declaration of [REDACTED] and Exhibits; (6) [Proposed] order.

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TO PLAINTIFFS AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on Friday, October 24, 2008, at 8:30 am in Department 76 of this Court, located at 111 North Hill Street, Los Angeles, CA 90012, Defendant [REDACTED] will and does hereby move this Honorable Court for an order striking the Complaints of each of Plaintiff in their entirety, without leave to amend, and further awarding the Defendant his reasonable attorneys' fees and costs incurred in bringing this special motion to strike.

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This special motion to strike will be and is brought upon the grounds that each Plaintiff's claims, causes of action and/or requests for relief are subject to being stricken, and are barred, in their entirety pursuant to the provisions of Code Civ. Proc. §425.16, the United States Constitution and the California Constitution.

This motion is also made pursuant to the court's equitable and inherent powers to control its own calendar and for such other and further relief that this Honorable Court may deem just and proper.

This motion is based upon this notice of motion and motion, the following memorandum of points and authorities, all other papers filed concurrently herewith, the pleadings and other documents on file in this matter, the reply memorandum Defendant intends to file, any further argument the Court might allow, and such other matters as may properly be brought before the Court prior to or at the hearing on this notice of motion and motion.

Dated: September 19, 2008

Respectfully submitted,

[REDACTED]
Attorney for Defendant [REDACTED]

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MEMORANDUM OF POINTS AND AUTHORITIES

STATEMENT OF RELEVANT FACTS

This case involves a C.C.P. §527.6 Temporary Restraining Order obtained against Defendant on August 11, 2008. Accordingly, most of the Defendant's "public issue" and other evidence herein concerns events until August 20, 2008. However, subsequent abuse is included.

DEFENDANT ACTED IN FURTHERANCE OF FREE SPEECH

Defendant [REDACTED] is a [REDACTED] year old man without any criminal convictions or record. He has never been involved in a civil harassment proceeding. Declaration of [REDACTED] ("xxxx Decl.") ¶4. He is opposed to the Church of Scientology's wrongful and abusive conduct and not any of their copyrighted beliefs. xxxx Decl., ¶¶5-9. Declaration of [REDACTED] Decl.,") ¶85.

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In March 2008, Defendant began his continuing participation with the group known as "Anonymous." xxxx Decl., ¶¶10-12. Anonymous is a global group of tens of thousands of Internet users who have mobilized to stop the copyright, tax, civil rights, human rights and other abuses of the Church of Scientology. Berry Decl., ¶¶ 8-86.

Most Anonymous have a strong and reasonable desire to maintain their anonymity. The Church of Scientology has a documented reputation for unmasking and punishing their critics, such as those participating in Anonymous.

Declaration of [redacted] Decl.") ¶47-51, [redacted] Decl. ¶¶87-366. This is unconstitutional.

In McIntyre v. Ohio Elections Commission 514 U.S. 334 (1995) the U.S. Supreme Court held that "[p]rotections for anonymous speech are vital to democratic discourse ... in particular: to protect unpopular individuals from retaliation at the hand of an intolerant society." [redacted] Decl., ¶¶64-65.

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Indeed, after Defendant had participated in the June 14, 2008, global picket against Scientology crimes and abuses, Church of Scientology agents followed Defendant for two days and "ran the plates" of an elderly friend's car.

By July 19, 2008, Scientology's Office of Special Affairs, which includes their attorneys herein, had identified Defendant and his associates. xxxx ¶¶ 13-15, 22-25, 29. Scientology preaches that the "purpose of the lawsuit is not to win." It is to "harass" and "utterly ruin." [redacted] Decl., ¶¶84, Exh. I, p. 338. The Anonymous protests, and the Defendant's First Amendment activity at issue herein, involve public issues of great global interest. [redacted] Decl., ¶¶4-56, xxxx Decl., ¶3 A-0.

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THERE IS NO PROBABILITY PLAINTIFFS WILL PREVAIL

The purpose of Code of Civil Procedure ("C.C.P.") §527.6 is to provide quick relief to harassment victims threatened with great or irreparable injury. Grant v. Clampitt, 56 Cal.App. 4th 586 (1997). Section 527.6 is not designed to be a sword to silence critical speech. Evidencing such, C.C.P. §527.6 (b) provides that constitutionally protected activity, as in the case at bar, is excluded from its scope. C.C.P. §527.6 states its injunctive relief is available only in certain delineated circumstances.

The Code requires unlawful violence, a credible threat of violence, or a knowing and willful course of conduct ... that seriously alarms, annoys or harasses the person, and that serves no legitimate purpose. The course of conduct must be such as to cause a reasonable person to suffer substantial emotional distress, and it must actually cause substantial emotional distress to the plaintiff. C.C.P. §527.6.

The petitions state no allegation of unlawful violence. For example, [redacted] testifies, in her declaration, that she feels threatened and unsafe when [redacted] is around [redacted] Decl., para. 6. However, her Form CH-100 answer to question 6.c. expressly testifies that [redacted] did not commit any acts of violence or threaten any acts of violence against" [redacted]

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Furthermore, the two petitions do not describe conduct that seriously annoys, etc. and serves no legitimate purpose, as the exercise of constitutionally protected free speech, is certainly legitimate communication. The alleged activity although not necessarily pretty, never rises to the level of a threat of violence, or of anything. Mere opinion is expressed, questions are asked.

Any threat was nothing more than a threat to speak truth. Most telling, at section 6e of the Petition [redacted] did not describe, by what specific conduct and by what specific words, the alleged conduct that had seriously alarmed, annoyed or harassed her. This defect alone is sufficient to deny the application on grounds of failure of due process, i.e., notice of the conduct complained of in detail, as well as a fatal procedural defect under Civil Code section 527.6.

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Even taking the petition at face value, a prima facie case of harassment has not been made. Constitutionally protected activity, including speech, has been deemed by statute not to be included within the meaning of "course of conduct" under Civil Code section 527.6 (b) (3).

Furthermore, Appellate opinions are consistent: private communications are constitutionally guaranteed forms of expression. Thomas v. Quintero, 126 Cal.App.4th 635 (2005), California Constitution Art. 1, Section 2.

The constitution states that "a law may not restrain or abridge liberty of speech or press". Because the alleged harassment is presumed to be, and factually is, based on constitutionally protected speech, assembly and protesting the application must be denied.

In addition, where an act, such as public criticism, protest, free speech, attempting to bring the truth to the public in general and to members of the church in particular, serves a legitimate purpose, and there is no evidence to support the conclusion that defendant is contacting plaintiff for any other purpose than to meet this legitimate need, such conduct does not constitute "harassment." West, Annotated C.C.P. § 527.6, Byers v. Cathcart, 57 Cal.App. 4th 805 (1997).

The determination of an injunction requires that this Court apply the "clear and convincing" standard. Accordingly, absent a finding of a high probability that unlawful harassment exists, the application must be denied. Russell v. Douvan, 112 Cal.App. 4th 399 (2003).

Fatally, there is no allegation of ongoing conduct here. The course of challenged conduct must be ongoing at the time the injunction is sought in order to obtain injunctive relief under the harassment statute. Scripps Health v. Marin, 72 Cal. App. 4th 324 (1999).

Inasmuch as the Defendant has done nothing to qualify for an injunction in the first instance, and since there is no ongoing conduct alleged which is either illegal or improper under the standards of C.C.P. §527.6, the application must be denied. In addition, there is no threatened injury.

Since an injunction will not lie for prior claims, and only to prevent threatened injury, it can not be used as punishment for past acts. Huntington Life Science v. Stop Huntington Animal Cruelty, 129 Cal.App. 4th 1228 (2005). Thus, the granting of an injunction requires "clear and convincing" evidence of future threatened harm.

The petition and the facts in any form do not support such a finding. The plaintiffs also lack credibility. [REDACTED] alleges that the "date of most recent harassment is 5/10/08; 7/26/08; 8/10/08." Form CH-100, question 6 a. However, her declaration states that her first encounter with [REDACTED] was in late July. [REDACTED] Decl., para. 3.

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She also testifies that she became aware of [REDACTED] several weeks ago" (in late July, 2008) and she then states that his activity has been ongoing for "the past several months. [REDACTED] Dec., ¶¶3-4. Furthermore, [REDACTED] own video evidence does not support her claims. On the contrary, it indicates that on at least one occasion [REDACTED] was engaged in a debate of the issues with the Defendant. She did not demonstrate the allegations set forth in her complaint and supporting declaration herein.

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Similarly, the evidence also shows Plaintiff Miranda aggressively going right up to Defendant and slamming his open hand into Defendant's video camcorder lens in use by Defendant.

Finally, there is credible evidence from which to conclude that these proceedings were actually instigated by the Church of Scientology, acting through its attorneys [REDACTED] and that the T.R.O. herein is being abused by the Church of Scientology and [REDACTED]

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[REDACTED] is part of the legal unit of the Church of Scientology Office of Special Affairs which is also located in the Church of Scientology management building at 6331 Hollywood Boulevard, Los Angeles, CA.

The evidence indicates that [REDACTED] associate attorney, [REDACTED] Esq., personally appeared on the public sidewalks and threatened Defendant with arrest and prosecution on July 14, 2008. The evidence also establishes that she did not expressly do so on behalf of any clients.

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The evidence further indicates that [REDACTED] personally appeared on the public sidewalks and threatened Defendant with these legal proceedings on July 22, 2008. He did not do so expressly on behalf of any client. [REDACTED] expressly stated that he was going to file a law suit the next day, July 23, 2008.

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[REDACTED] own declaration of service refers to his communication with the Plaintiff's on August 10, 2008, one day before this proceeding was filed.

There is credible evidence that [REDACTED] has previously instigated litigation against Scientology critics, litigation opponents and their legal counsel, and that [REDACTED] has previously engaged in blackmail, bribery, perjury, obstruction of justice and other public corruption in such matters. [REDACTED] Decl., ¶¶290-358, Exhibits E-H.

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Defendant's evidence also indicates that [REDACTED] abused the August 11, 2008 Temporary Restraining Order herein by applying it to locations expressly excluded by the court in its Temporary Restraining Order, and by attempting to have law enforcement officers use it prevent the Defendant from picketing Church of Scientology premises located at Tustin and Hemet in Riverside County on September 6, 2008.

The declaration of [REDACTED] establishes that during this matter, Plaintiff's attorney [REDACTED] and other Church of Scientology officials, followed Defendant's counsel to Hamburg, Germany where [REDACTED] threatened two German State employees with litigation if they did not admit him to an international forum being addressed by Defendant's counsel, and then demanded they provide their passports and identification to him.

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Very disturbingly, and in a blatant attempt to obstruct justice herein, two officials from Scientology's O.S.A. visited Defendant's witness [REDACTED] at his home on the day preceding this filing. They insisted that they had to talk with him, they served him with a "Cease and Desist letter," informed him that they had observed him twice entering the home office of Defendant's counsel herein two days before this filing, and that they had electronically monitored [REDACTED] conversation with Defendant's counsel, in the back yard of his home-office. [REDACTED] Decl., ¶¶50 [REDACTED] Decl., ¶¶352-356. See generally, [REDACTED] Decl., ¶¶290-358, Exhibits E to H.

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The manner of service of this action was itself calculated to intimidate and harass [REDACTED] Decl., ¶¶359.

Fair Game

LEGAL ARGUMENT

C.C.P. §527.6 provides an expedited procedure for injunctive relief to persons experiencing harassment from conduct and/or speech that serves "no legitimate purpose" such as the exercise of first amendment freedoms of speech and assembly.

In essence, Defendant contends that Plaintiffs evidence was insufficient to support the C.C.P. §527.6 restraining order issued ex parte against him herein, that it therefore must be stricken pursuant to C.C.P. §425.16 because it was sought "primarily to chill the valid exercise of rights of freedom of speech," that the challenged cause of action arose from protected activity in connection with a public issue, and that it has unjustifiably interfered with his "constitutionally protected activity," after being served with these proceedings on August 14, 2008 during a peaceful group protest of the Church of Scientology office management building.

It is well established that certain government property is by its very nature a public forum; for example, the sidewalks of Hollywood Boulevard, Ivar Avenue, Sunset Boulevard, L. Ron Hubbard Way, Fountain Avenue and Franklin Avenue and Bronson Street.

THE ANTI-SLAPP STATUTE APPLIES TO C.C.P. § 527.6

In Thomas v. Quintero, 126 Cal.App. 4th 635, 646 (2005), the court held "that anti-SLAPP motions may be filed challenging petitions for injunctive relief brought under section 527.6." Plaintiff's Trial Brief (p.1:26-28) served August 28, 2008 expressly concedes the relevant building at 6331 Hollywood Boulevard houses only "administrative offices;" the Church of Scientology International and Religious Technology Center management, legal and intelligence offices.

The Church of Scientology does not have traditional church services where a deity is worshiped. Instead, it has book stores and course rooms where members purchase and take courses, and engage in "auditing" (which includes elements of hypnosis, mind control, mental manipulation and coercive indoctrination) with a primitive form of lie detector called an E Meter.

Conversely, in Thomas v. Quintero, Ibid: "The petition alleged that Quintero was among a group of people who appeared at Thomas's church, and who then harassed members of the congregation 'with the stated purpose of causing extreme embarrassment and severe emotional distress to [Thomas].'

The petition went on to explain that good cause existed to include members of Thomas's family within the protection of the orders requested because Quintero and others had also demonstrated at Thomas's home, and threatened to harass his family, thereby placing them in 'fear of their security at home.'

It was noted that Quintero had indicated an intention to return to Thomas's church and home, with the effect of disrupting church activities and invading Thomas's free exercise of religion and right to privacy." Id. at 643.

In Thomas v. Quintero the court initially granted a T.R.O. The matter was continued during which time "Quintero filed a special motion to strike under the anti-SLAPP statute (§425.16)." Id. at 643. The court denied the special motion to strike and denied a civil harassment restraining order.

The DCA reversed and held that "anti-SLAPP motions may be filed challenging petitions for injunctive relief brought under section 527.6, because they constitute 'causes of action' under the anti-SLAPP law." Id. at 642. Section 425.16 (b) (1) and (e) (3) provide in pertinent part:

"A cause of action against a person arising from any act of that person in furtherance of that person's right of petition or free speech ... in connection with a public issue ... shall be subject to a special motion to strike, unless the court determines that the plaintiff has established that there is a probability that the plaintiff will prevail on the claim. ... As used in this section, 'act in furtherance of a person's right of petition or free speech ... in connection with a public issue' includes: ... (3) any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest."

The DCA further opined that: Under the statute, the court makes a two-step determination: 'First, the court decides whether the defendant has made a threshold showing that the challenged cause of action is one arising from protected activity ... If the court finds that such a showing has been made, it must then determine whether the plaintiff has demonstrated a probability of prevailing upon the claim. ... Only a cause of action that satisfies both prongs of the anti-SLAPP statute—i.e., that arises from protected speech or petitioning and lacks even minimal merit—is a SLAPP, subject to be stricken under the statute.' Citations omitted. Id. at 645.

The DCA also held that "[a] cause of action is subject to a motion to strike ... even if it is based only on allegations involving protected activity." Citations omitted. Id. at 653:

"While SLAPP suits 'masquerade as ordinary law suits' the conceptual features which reveal them as SLAPP's are

that they are generally merit less suits brought by large private interests to deter common citizens from exercising their constitutional rights or to punish them for doing so." Citations omitted. Id. at 658.

The Thomas court, referring to *Weinberg v. Feisel*, 110 Cal.App. 4th 1122 (2003), then set forth a "few guiding principles ... from decisional authorities" as to what constitutes "an issue of public interest."

"First, 'public interest' does not equate with mere curiosity. [Citations].

Second, a matter of public interest should be something of concern to a substantial number of people. Citations omitted. ...

Third, there should be some degree of closeness between the challenged statements and the asserted public interest (Citation omitted); ...

Fourth, the focus of the speaker's conduct should be the public interest rather than a mere effort 'to gather information for another round of [private] controversy.' Citations omitted. Id. at 658-659.

The Thomas court held that "the evidentiary showing made by [the plaintiff] was woefully inadequate." Id. at 662-663. As in the instant case at bar, there was no evidence of any credible threat of violence or other conduct "that serves no legitimate purpose" and there was no admissible evidence of "substantial emotional distress" being caused by the defendant who was engaged in "protected speech." ...

"Even if the conduct was not constitutionally protected, [the defendant] was not engaged qualitatively in a "pattern of conduct" as contemplated by the statute." Id. at 663. "The sole issue is whether there is clear and convincing evidence that harassment, as defined by the statute, has occurred. (§527.6, subd. (d))." Id. at 665. See also, *Flatley v. Mauro*, 39 Cal. 4th 299 (2006), *City of Los Angeles v. Animal Defense League*, 135 Cal.App. 4th 606 (2006), *Novartis Vaccines and Diagnostics, Inc., v. Stop Huntington Animal Cruelty U.S.A., Inc.*, 143 Cal.App. 4th 1284 (2006), *Terry v. Davis Community Church*, 131 Cal.App. 4th 1534 (2005).

THE ANTI-SLAPP STATUTE APPLIES TO THE CASE AT BAR

Defendant's evidence herein makes the requisite *prima facie* showing that "the plaintiff's cause of action arises from the defendant's free speech activity." *Church of Scientology v. Wollersheim*, 42 Cal.App.4th 628, 646 (1996).

Defendant's evidence herein further establishes that his free speech activity at issue herein is within the four expressly enumerated and protected categories set forth in C.C.P. §425.16 (e)(3)&(4). It involved statements "made in a place or a public forum in connection with an issue of public interest" and "other conduct in furtherance of the exercise of ... the constitutional right of free speech in connection with a public issue or an issue of public interest."

C.C.P. §425.16 (a) provides that the "section shall be construed broadly." *Dowling v. Zimmerman*, 85 Cal. App. 4th 1400, 1411 (2001).

DEFENDANT'S ACTIVITY IS CONSTITUTIONALLY PROTECTED

Defendant engaged in Free Speech of Public Interest in a Public Forum

Accordingly, the threshold and dispositive inquiry is whether [REDACTED] activities are constitutionally protected.

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Public issue picketing is an activity protected by the First Amendment, which has been made applicable to the States by the Fourteenth Amendment. *Frisby v. Schultz*, 487 U.S. 474, 101 L.Ed. 2d 420 (1988) (holding that restrictions on picketing are subject to careful scrutiny); *NAACP v. Claiborne Hardware Co.*, 458 U.S. 886, 909, 73 L.Ed. 2d 1215, 1233 (1982); *Southwestern Promotions, Ltd. v. Conrad*, 420 U.S. 546, 43 L.Ed. 2d 448 (1975).

Picketing is an activity also implicating free speech rights pursuant to article I, sections 2 and 3 of the California Constitution. *Robins v. Pruneyard Shopping Center*, 23 Cal.3d 899 (1979) aff'd sub nom. *Pruneyard Shopping Center v. Robins*, 447 U.S. 74, 64 L.Ed. 2d 741 (1980).

Under current First Amendment analysis, the extent to which a defendant's rights of speech may be curtailed begins with identifying the forum used by the defendant to communicate his or her message. In the case at bar it is exclusively the city streets and sidewalks. "It has been clearly established since time immemorial that city streets and sidewalks are public fora." *Collins v. Jordan*, 110 F. 3d 1363 (9th Cir. 1996).

"No particularized inquiry into the precise nature of a specific street is necessary; all public streets are held in the public trust and are properly considered public fora." *Frisby*, 487 U.S. at 481.

DEFENDANT'S SPEECH CONCERNED AN ISSUE OF PUBLIC INTEREST

Defendant's conduct involved speech "made in a place or a public forum in connection with an issue of public interest" and "other conduct in furtherance of the exercise of ... the constitutional right of free speech in connection with a public issue or an issue of public interest." Dowling v. Zimmerman, 85 Cal. App. 4th 1400, 1414 -1418 (2001).

THERE IS NO PROBABILITY PLAINTIFF WILL PREVAIL

Protected activity is not harassment. Plaintiffs appear to contend that unwanted criticism and questions regarding Scientology abuse, crime and fraud constitutes harassment. On the contrary, "[h]arassment" is a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys or harasses the person, and which serves no legitimate purpose." C.C.P. §527.6 (b).

Significantly; C.C.P. §527.6 (b) (3) provides, in essence, that "constitutionally protected conduct" is a "legitimate purpose" that "is not included within the meaning of course of conduct." This course of conduct, when it does not involve "constitutionally protected conduct," "must be such as would cause a reasonable person to suffer substantial distress, and must actually cause substantial emotional distress to the plaintiff." C.C.P. §527.6; Schraer v. Berkley Property Owners Ass'n, 207 Cal.App. 3d 719 (1989); Schild v. Rubin, 232 Cal.App. 3d 755, 763 (1991) (there must be medical, psychological, or other evidence establishing that the "harassing" activity is the cause of "substantial emotional distress" within the meaning of C.C.P. §527.6 (b)).

There is no such admissible evidence in the case at bar. Furthermore, only natural persons can seek relief under C.C.P. §527.6 (b). Diamond View, Ltd. v. Herz, 180 Cal.App. 3d 612, 618-619 (1986). Because Plaintiff is operating as the alter ego of the Church of Scientology, and two of its attorneys herein, there is no standing to assert the instant claim. xxxx Decl., ¶20, [redacted] Decl., Exhibits D-H, [redacted] Decl., ¶¶ 7-9.

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"Course of conduct" is defined as a pattern of conduct composed of a series of acts over a period of time however short, evidencing a continuity of purpose." C.C.P. § 527.6 (b); see also; Leydon v. Alexander, 212 Cal.App. 3d 1, 5 (1989) (single incident in which former city employee abused plaintiff and another employee could not meet statutory requirements of course of conduct).

A trial court may not issue an injunction against harassment unless it finds by clear and convincing evidence that unlawful harassment already exists in fact. C.C.P. § 527.6 (d); Schraer, supra, 207 Cal. App. 3d 719. However, as constitutionally protected activity is excluded from the meaning of "course of conduct," (C.C.P. § 527.6 (b)), there is no need to entertain the traditional inquiry as to whether clear and convincing evidence exists warranting injunctive relief which "is rarely granted to restrain speech or publication." Weil & Brown, Cal. Practice Guide, Civil Procedure Before Trial, 9: 708.

Plaintiffs have no right to be free from public criticism. The skeletal conclusory allegations that constituted the evidence in support of the Ex Parte Application for a Temporary Restraining Order herein are totally silent as to the specific content of the statements that constitute the alleged harassment.

However, it is clear from the Defendant's evidence submitted herewith, although most of it is legally inadmissible, that the alleged harassment involved Defendant, along with dozens and sometimes hundreds of others, taking his/their criticism of Scientology abuse, blackmail, bribery and fraud to the eyes and ears of Scientology staff members who are supposedly Homo Novis as Scientology's founder called them; human beings with super powers over matter, energy, space and time and who can even mentally clear the side walks of protestors with their "Operating Thetan" powers and abilities.

If Scientologists see and hear protests outside their buildings then the credibility of the expensive Scientology Advanced Technology and super powers might be questioned and Scientology's book, course and auditing sales adversely affected. For that reasons, picketers often shout and anti- scientology picket signs proclaim, "No OT Powers here otherwise we wouldn't be here."

In essence, the court is being asked to enjoin First Amendment activity that Scientology fears may wake up its coercively indoctrinated members. They would then exit the organization, as happened at the end of "The Truman Show" movie.

However, criticism of Scientology to individual Scientologists is not harassment as a matter of law. "No prior decisions support the claim that the interest of an individual in being free from public criticism of his business practices in pamphlets or leaflets [or other forms of speech] warrants use of the injunctive powers of a court." Organization for a Better Austin v. Keefe, 402 U.S. 415, 419-20, 29 L. Ed. 2d 1 (1971).

In Organization for a Better Austin, members of an organization distributed leaflets in a residential community that were critical of respondent's real estate practices. The distribution of the leaflets was on all occasions conducted in a peaceful and orderly manner, did not cause any disruption of pedestrian or vehicular traffic, and did not

precipitate any fights, disturbances or other breaches of the peace.

The Court noted that the fact that "expressions were intended to exercise a coercive impact on respondent does not remove them from the reach of the First Amendment." Id. at 420; see also NAACP v. Clairborne Hardware Co., 458 U.S. 886, 773 L. Ed. 2d 1215, 1234 (1982) ("Speech does not lose its protected character, however, simply because it may embarrass others or coerce them into action").

The applicable law is clear, the Scientology enterprise cannot constitutionally prevent others from delivering deprogramming messages and institutionally embarrassing information to its members and staffers on the public sidewalks.

Free speech includes offensive speech. It is clear that what the Plaintiffs, as the alter egos of the Scientology enterprise, and its attorneys herein, contend is that offensive speech is the reason for the injunctive relief obtained herein. That is wrong. "First, it is important to recognize that, '[I]ike so many other kinds of expression, picketing is a mixture of conduct and communication." NLRB v. Retail Store Employees, 447 U.S. 607, 618-619 (STEVENS J., concurring in part and concurring in result).

"[A] communication may be offensive in two different ways. Independently of the message the speaker intends to convey, the form of his communication may be offensive – perhaps because it is too loud or too ugly in a particular setting. Other speeches, even though elegantly phrased in dulcet tones, are offensive simply because the listener disagrees with the speaker's message." Consolidated Edison Co. v. Public Service Comm'n of New York, 447 U.S. 530, 546-547 (STEVENS, J., concurring in judgment) (footnotes omitted).

The authorities also hold that the state cannot justify restrictions on peaceful expression on the basis of the offensiveness of the message and conduct to some viewers. "The fact that society may find speech offensive is not a sufficient reason for suppressing it.

Indeed, if it is the speaker's opinion that gives offense, that consequence is a reason for according it constitutional protection." Simon & Schuster, Inc. v. Members of New York State Crime Victims Bd., 502 U.S. 105, 118 (1991). Emphasis added. Similarly, the Supreme Court has also determined that "[f]reedom of speech cannot be made subject to prevailing notions of taste or preferences for particular forms of expression.

As long as the means are peaceful [as they were here], the communication need not meet standards of acceptability." Organization for a Better Austin v. Keefe, 402 U.S. 415, 419, 29 L. Ed. 2d 1 (1971). The U.S. Supreme Court was even stronger in Schenk v. Pro Choice Network of Western New York, 519 U.S. 357, 137 L. Ed. 2d 1 (1997): "As we said in Madsen, quoting from Boos v. Barry, 485 U.S. 322, '[a]s a general matter, we have indicated that in public debate our own citizens must tolerate insulting, and even outrageous, speech in order to provide adequate breathing space to the freedoms protected by the First Amendment." Emphasis added.

FEES AND COSTS ARE PROVIDED FOR BY STATUTE

C.C.P. §425.16 (c) provides that "[i]n any action subject to subdivision (b), a prevailing defendant on a special motion to strike shall be entitled to recover attorney's fees and costs." The amount is within the court's discretion. Dowling v. Zimmerman, 85 Cal. App. 4th 1400, 1426 (2001).

Indeed, in Church of Scientology v. Wollersheim, 42 Cal.App. 4th 628 (1996), Plaintiff's attorney herein was one of the counsel unsuccessfully arguing that the trial court's award of C.C.P. §425.16 (c) attorney's fees in the amount of \$130,506.71 was excessive. [REDACTED] was also ordered to pay the attorney's fees on appeal. Id. at p. 659.

In Ketchum v. Moses, 24 Cal. App. 4th 1122 (2001) the D.C.A. was considering the trial court's C.C.P. §425.16 (c) attorney fees award of \$140,212.00 which included a lodestar amount of \$70,106.00. The D.C.A. upheld the fee and lodestar amounts. The amount of Defendant's Fees and Costs claim herein currently exceeds \$10,000.00 and will be updated and detailed by Supplemental Declaration.

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III. CONCLUSION

For the foregoing reasons, Defendant's C.C.P. §425.16 (b) (1) motion should be granted.

Dated: September 19, 2008.

Respectfully submitted,

[REDACTED]
Attorney for Defendant [REDACTED]

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ADVICE OF RIGHTS

Place Newark, NJ
Date 10/14/07
Time 7:30 PM

YOUR RIGHTS

Before we ask you any questions, you must understand your rights.

You have the right to remain silent.

Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we ask you any questions.

You have the right to have a lawyer with you during the questioning.

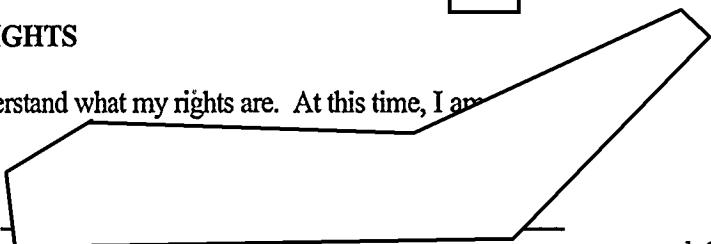
If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you have the right to stop answering at any time.

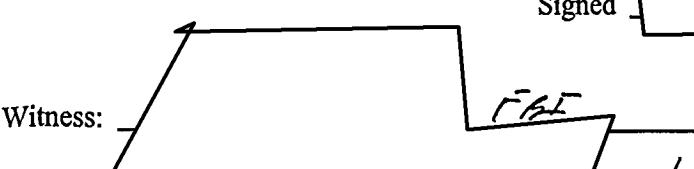
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WAIVER OF RIGHTS

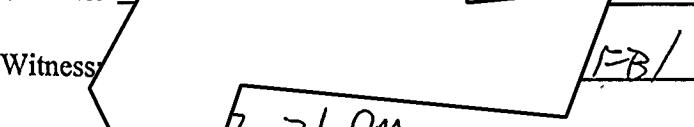
I have read this statement of my rights and I understand what my rights are. At this time, I am willing to answer questions without a lawyer present.

Signed 

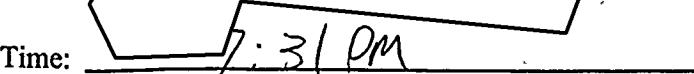
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Witness: 

FBI

Witness: 

FBI

Time: 

7:30 PM



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Title 18, United States Code Section 1001

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisonment not more than five years, or both.

I have read the above provisions and penalties regarding Title 18, US Code Section 1001 and understand that violation of this section is punishable by a fine of up to \$10,000 and imprisonment of up to 5 years.

[Redacted]
[Redacted] b6
[Redacted] b7C
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10/14/08
Date

LC
AG

10/14/02

BB

B16
Common

DIGG.com Social / News Site

News Art.

Cos / Average - showing up on Front

HIGH RATINGS < Digg T. or Digg B.

DDoS Attacks Jm. - End Going on News
Tom Cruise Video - Wired, Time, etc
Credible Sources
Ending out in Feb

TC Video - linked to Internet - 'Look who's'
in Blogs

(Friends of Joe)

Friend

LNU

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Protest on 2/10 (Super Bowl 1/23 Penn.)

Cos in NYC - went out

Ava - Common Gage Bringing Supto
Crimes / Abuses of Cos

(Showed "Fair Game" Policy
Supto)

Had Protests in 1 per month since 2/10
in front of Cos - Richard? Reasons Th
AV comes Ava to 'Chainology'

AU - No leaders (more wanted Dec.)
- Couple people may do things

Cumology - Are Protecting or Cos in Chronology
- Are over world

Anonymous - Focused Cos.

- Spread on websites (1)
(B channel of action)
- Post 'Nonsense' on websites

Doesn't know any personage / only screen names
Anonymous - Doesn't care anyone

17K members (Admin)
WHYWEPROTEST.NET (Largest Site)
EPICANON.COM (AU website)
600 members - User b6
Post usg it.
Only one to user IT.

Same ID on both sites

Don't participate in DDOS in Jan/Feb.

None.

- Knows target or attack / Damage can be done

Cos
- Target & Service (FD letter w/ AU in May)

①

[redacted]
NU = Attractions that was from Gage
Policy.

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-White Powder } Heard From CFD letters
Benz Theras }

Claims not Backed with Police Reports

-Provided Draft of Motion by [redacted]

Chronology - Gen'l - Peaceful Resistance

List Reconc

EPICANON - Hostess in Chicago FDC servers
Posts
- Organizing for Peace
- Communicate FairGage / CFD letters

- Started New About Attractions
when Showed Posters
- Sends Link on Website initially
b/c there only People wanna see
them.
- Says No FP will Come Back to him.

Exact Protest is THOMED

Over Post Shows/

No FP will Cano Brok.

(Total of 100 ; Signed)



w/m



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b7C



~ June
July



2 Years College

Jpn / FB



b6
b7C

- Worked for



File Number 268A-LK-249816 - LA 7Field Office Acquiring Evidence LA

Serial # of Originating Document _____

Date Received 10/27/08From _____
(Name of Contributor/interviewee)_____
(Address)_____
(City and State)

By _____

To Be Returned Yes NoReceipt Given Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure

 Yes No

Federal Taxpayer Information (FTI)

 Yes No

Title:

UNSUB(S)
Church of Scientology - Victim
Computer Intrusion

Reference: _____ 3d2

(Communication Enclosing Material)

Description: Original notes re interview of _____b6
b7Cb6
b7C

11.13.08

b6
b7C

1

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a - b

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File Number 288A - LA - 249816 - 1A8Field Office Acquiring Evidence LA

Serial # of Originating Document _____

Date Received, 10/27/08From _____
(Name of Contributor/interviewee)

(Address)

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(City and State)

By _____

To Be Returned, Yes NoReceipt Given Yes NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (c)
Federal Rules of Criminal Procedure Yes No

Federal Taxpayer Information (FTI)

 Yes No

Title:

UNSUB(S)
Church & Scientology - Victim
Computer InvasionReference: _____ 382

(Communication Enclosing Material)

b6
b7CDescription: Original notes re interview of

11-13-08



10/27/88

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